IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 1ST JANUARY 2007 / 11TH AGRAHAYANA 1928

Bail Appl..No. 7366 of 2006()

Crime No.808/06 of Neyyattinkara Police Station

PETITIONER/ACCUSED:

DASS, S/O. PARAMU NADAR,
THOTTATHUVEEDU, PERUMKADAVILA, THALAVANNUR,
NEYYATTINKARA, THIRUVANANTHAPURAM DISTRICT.

BY ADV. SRI.SAJU.S.A

RESPONDENT: STATE:

STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI. A.S. SIVAKUMAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 01/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.Ramkumar, J.

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B.A.No.7366 of 2006

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Dated this the 1st day of January, 2007.

ORDER

Petitioner, who is the accused in Crime No.808 of 2006 of Neyyattinkara Police Station for offences punishable under Sections 451, 354, 323, 324 and 326 I.P.C., seeks anticipatory bail.

2. The learned counsel for the petitioner submitted that there is a counter case initiated at the instance of the petitioner and registered as Crime No.809 of 2006 involving offences punishable under Sections 324, 379,354 and 341 I.P.C.

3. It is too early to conclude that the defacto complainant was the aggressor. He has sustained an injury - a fracture on his right leg. His daughter-in-law was also assaulted. Having regard to the nature of the injury sustained by the defacto complainant, I am not inclined to grant anticipatory bail to the petitioner. There is no reason why the petitioner should not surrender before the Magistrate concerned and seek regular bail. Accordingly, if the petitioner surrenders before the

Magistrate and files an application for regular bail within two weeks from today, the same shall be considered and disposed of preferably on the same day on which it is filed.

This application is accordingly disposed of.

V.Ramkumar,
Judge.

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